

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 18, 2016

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JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 18, 2016

The Senate met in regular session at 1:09 p.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Mitchell Sinclair.

The Journal of Friday, April 15, 2016, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:25 p.m. until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:43 p.m., President Jochum presiding.

The Senate stood at ease at 4:44 p.m. until the fall of the gavel.

The Senate resumed session at 5:46 p.m., President Jochum presiding.

HOUSE AMENDMENT CONSIDERED

[Senate File 2304](#)

Senator Gronstal called up for consideration [Senate File 2304](#), a bill for an act relating to standards for and certification and inspection of children's residential facilities, amended by the House in House amendment [S-5125](#), filed April 13, 2016.

Senator Schoenjahn moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

CONSIDERATION OF BILLS
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2313, 2314, and 2316.

[Senate File 2313](#)

On motion of Senator Dotzler, [Senate File 2313](#), a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions, was taken up for consideration.

Senator Dotzler offered amendment [S-5130](#), filed by him from the floor to page 7 of the bill, and moved its adoption.

Amendment [S-5130](#) was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2313](#)), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Schneider
Bisignano	Dotzler	Kinney	Schoenjahn
Bolkcom	Dvorsky	Mathis	Seng
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Courtney	Hogg	Quirnbach	Wilhelm
Danielson	Horn	Ragan	

Nays, 23:

Anderson	Costello	Kapucian	Sinclair
Behn	Dix	Kraayenbrink	Smith
Bertrand	Feenstra	Rozenboom	Whitver
Breitbach	Garrett	Schultz	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Johnson	Shipley	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2314](#)

On motion of Senator Brase, [Senate File 2314](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Brase offered amendment [S-5131](#), filed by him from the floor to pages 1, 6, 17, 18, 20, and 22 of the bill, and moved its adoption.

Amendment [S-5131](#) was adopted by a voice vote.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2314](#)), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2316](#)

On motion of Senator Courtney, [Senate File 2316](#), a bill for an act relating to the collection of delinquent court debt and associated installment agreements, was taken up for consideration.

Senator Courtney offered amendment [S-5133](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5133](#) was adopted by a voice vote.

Senator Bisignano offered amendment [S-5134](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5134](#) was adopted by a voice vote.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2316](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2304, 2313, 2314, and 2316** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2311 and 2315.

[Senate File 2311](#)

On motion of Senator Dvorsky, [Senate File 2311](#), a bill for an act relating to the department of public defense by providing for the gold star military museum, was taken up for consideration.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2311](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2315](#)

On motion of Senator Wilhelm, [Senate File 2315](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions, was taken up for consideration.

Senator Wilhelm asked and received unanimous consent that [House File 2454](#) be **substituted** for [Senate File 2315](#).

[House File 2454](#)

On motion of Senator Wilhelm, [House File 2454](#), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions, was taken up for consideration.

Senator Allen offered amendment [S-5132](#), filed by him from the floor to page 20 of the bill, and moved its adoption.

Amendment [S-5132](#) was adopted by a voice vote.

Senator Johnson asked and received unanimous consent that action on [House File 2454](#) be **deferred**.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2312](#).

[Senate File 2312](#)

On motion of Senator Dotzler, [Senate File 2312](#), a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site, was taken up for consideration.

Senator Dotzler offered amendment [S-5129](#), filed by him on April 14, 2016, to page 1 of the bill, and moved its adoption.

Amendment [S-5129](#) was adopted by a voice vote.

([Senate File 2312](#) was deferred.)

The Senate stood at ease at 6:55 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 7:22 p.m., President Jochum presiding.

The Senate resumed consideration of [Senate File 2312](#), previously deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zumbach, until he returns, on request of Senator Dix.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2312](#)), the vote was:

Yeas, 22:

Allen	Dvorsky	Kinney	Seng
Bisignano	Gronstal	Mathis	Sodders
Bolkcom	Hart	McCoy	Taylor
Brase	Hogg	Petersen	Wilhelm
Courtney	Horn	Ragan	
Dearden	Jochum	Schoenjahn	

Nays, 28:

Anderson	Costello	Johnson	Segebart
Behn	Danielson	Kapucian	Shipley
Bertrand	Dix	Kraayenbrink	Sinclair
Bowman	Dotzler	Quirnbach	Smith
Breitbach	Feenstra	Rozenboom	Whitver
Chapman	Garrett	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Absent, none.

The bill, having not received a constitutional majority, was declared to have failed to pass the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2311](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 7:38 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 7:58 p.m., President Jochum presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:59 p.m. until 9:00 a.m., Tuesday, April 19, 2016.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

AUDITOR OF STATE

Special Investigation of the City of Dubuque Carnegie-Stout Public Library 7/1/08–4/24/14, pursuant to Iowa Code section 11.6. Report received on April 18, 2016.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Leone Dierenfield Petty—For celebrating her 100th birthday. Senator Whitver.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 115](#), by committee on Rules and Administration, a resolution in support of the Jewish State of Israel and a negotiated settlement resulting in a Palestinian State.

Read first time under Rule 28 and **placed on calendar**.

[Senate Resolution 116](#), by committee on Rules and Administration, a resolution honoring Senator Dick L. Dearden for his years of service in the Senate.

Read first time under Rule 28 and **placed on calendar**.

[Senate Resolution 117](#), by Dvorsky, Hogg, Horn, Kinney, Bolcom, Mathis, Brase, Bowman, Schoenjahn, Quirnbach, McCoy, Jochum, Gronstal, Courtney, Dearden, Taylor, Wilhelm, Bisignano, Petersen, Dotzler, Hart, Ragan, Allen, Kapucian, and Zumbach, a resolution recognizing and congratulating the Kirkwood Community College men's basketball team on winning the National Junior College Athletic Association Division II National Championship on March 19, 2016.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

[Senate File 2320](#), by committee on Appropriations, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

Read first time under Rule 28 and **placed on Appropriations calendar**.

[Senate File 2321](#), by committee on Appropriations, a bill for an act relating to appropriations to the judicial branch.

Read first time under Rule 28 and **placed on Appropriations calendar**.

[Senate File 2322](#), by committee on Appropriations, a bill for an act relating to appropriations to the justice system.

Read first time under Rule 28 and **placed on Appropriations calendar**.

[Senate File 2323](#), by committee on Appropriations, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

STUDY BILL RECEIVED

[SSB 3188](#) **Appropriations**

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENT

[SSB 3188](#)

APPROPRIATIONS: McCoy, Chair; Dvorsky and Kapucian

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 2320](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 8: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, Segebart, and Zumbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2321 \(SSB 3187\)](#), a bill for an act relating to appropriations to the judicial branch.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 8: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, Segebart, and Zumbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2322 \(SSB 3186\)](#), a bill for an act relating to appropriations to the justice system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 8: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, Segebart, and Zumbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2323 \(SSB 3185\)](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 8: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, Segebart, and Zumbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 2323](#), and they were attached to the committee report.

ALSO:

Bill Title: [HOUSE FILE 2439](#), a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5135](#).

Final Vote: Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 112](#), a resolution commending the results of Taiwan's 2016 presidential election reaffirming support for increasing Taiwan's international profile and for strengthening and expanding sister-state ties between Iowa and Taiwan.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 115](#), a resolution in support of the Jewish State of Israel and a negotiated settlement resulting in a Palestinian State.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Sodders, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which [Senate File 2312](#) failed to pass the Senate on Monday, April 18, 2016.

WILLIAM A. DOTZLER, JR.

MADAM PRESIDENT, I move to reconsider the vote by which [Senate File 2312](#) failed to pass the Senate on Monday, April 18, 2016.

DAN ZUMBACH

AMENDMENTS FILED

S-5130	S.F. 2313	William A. Dotzler, Jr.
S-5131	S.F. 2314	Chris Brase
S-5132	H.F. 2454	Chaz Allen
S-5133	S.F. 2316	Thomas G. Courtney
S-5134	S.F. 2316	Tony Bisignano
S-5135	H.F. 2439	Appropriations
S-5136	H.F. 2454	David Johnson